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Total Number of Pages in This Submission 5

Application Number	10/502,473
Filing Date	August 30, 2004
First Named Inventor	Mark Edward Dawes et al.
Art Unit	1772
Examiner Name	Christopher P. Bruenjes
Attorney Docket No.	DTG1-120US

ENCLOSURES (Check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
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- ☐ Response to Missing Parts/
Incomplete Application
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under 37 CFR 1.52 or 1.53

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Provisional Application
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SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm Name	RatnerPrestia		
Signature			
Printed Name	Costas S. Krikelis		
Date	August 24, 2007	Registration No.	28,028

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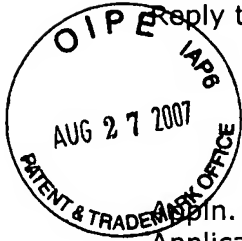
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Appln. No.: 10/502,473
Amendment Dated August 24, 2007
Reply to Office Action of May 25, 2007

DTG1-120US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/502,473
Applicant: Mark Edward Dawes
Filed: August 30, 2004
Title: HEAT-SEALABLE AND SHRINKABLE MULTI-LAYER POLYMERIC FILM
TC/A.U.: 1772
Examiner: Christopher P. Bruenjes
Confirmation No.: 3902
Docket No.: DTG1-120US

REQUEST FOR RECONSIDERATION

Mail Stop AF
Commissioner for Patents
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Sir:

Responsive to the Office Action dated May 25, 2007, please reconsider the above-identified application in view of the following argument.

Claims 1-6, 10, 15-18 and 21-23 stand finally rejected under 35 U.S.C. § 103(a) as being unpatentable over Kendig (WO 01/054886A1) in view of Meilhon (USPN 6,105,776). Claim 1 is the only independent claim. Applicants respectfully disagree with the Examiner's analysis of the art, the scope of the claims and his conclusion of obviousness.

The Supreme Court in *KSR Int'l Co. v. Teleflex Inc.* reasserted, the factual inquiries set forth in *Graham v. John Deere Co.* 383 U.S.1, 148 USPQ 459 (1966) that must be applied for determining obviousness under 35 U.S.C. 103(a) which are:

1. Determining the scope and contents of the prior art;
2. Ascertaining the differences between the prior art and the claims at issue;
3. Resolving the level of ordinary skill in the pertinent art; and
4. evaluating evidence of secondary consideration.

Under *KSR Int'l Co. v. Teleflex Inc.* the Supreme Court requires looking at what is the objective reach of the claim and "whether the improvement is more than the predictable use of prior art elements according to their established functions." (Slip op. at 13)